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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,215	02/10/2005	Yasuhiko Kojima	265769US26PCT	6423
22850	7590	05/21/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER CHEN, KEATH T	
			ART UNIT 1792	PAPER NUMBER
			NOTIFICATION DATE 05/21/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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***DETAILED ACTION***

1. The proposed After Final amendment, filed on 05/15/2008, is entered. This amendment overcome 35 USC 112 2<sup>nd</sup> paragraph rejection of claim 14.

***Response to Arguments***

2. Applicants' arguments filed 05/15/2008 have been fully considered but they are not persuasive.

3. In regarding to 35 USC 103(a) rejection of claims 1, 2, 4, 12, 15, and 18 based on '740, '283, '451, '998, and '216, see the bottom of page 7 to page 10, applicant's argument is that the combination of Grosshart '283 and Kim '998 lacks motivation because Grosshart does not disclose or suggest using latent heat of vaporization in a plasma processing apparatus (specifically, the first complete paragraph on page 10).

4. This argument is found not persuasive. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

To further clarify the motivation to combine '283 with '998, as stated at last 3 lines on page 4 of the final office action to the top of page 5, "'283 ... teaches the use of refrigeration sources for achieving steady-state thermal environment (col. 2, lines 4-21 and col. 6, lines 14-36). '998 ... teaches the well-known details of refrigeration ... in order to maintain optimum temperature conditions ...". Specifically, '998 provides the details of refrigeration system that '283 is lacking, which is suitably for '283's purpose.

The selection of something based on its known suitability for its intended use has been held to support a *prima facie* case of obviousness. *Sinclair & Carroll Co. v. Interchemical Corp.*, U.S. 327, 65 USPQ 297 (1945).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keath T. Chen whose telephone number is 571-270-1870. The examiner can normally be reached on M-F, 8:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cleveland can be reached on 571-272-1418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/K. T. C./

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Examiner, Art Unit 1792

/Michael Cleveland/  
Supervisory Patent Examiner, Art Unit 1792